

Message Text

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ACTION EA-14

INFO OCT-01 EUR-25 NEA-14 ISO-00 NIC-01 CIAE-00 DODE-00

PM-07 H-03 INR-11 L-03 NSAE-00 NSC-07 PA-04 RSC-01

PRS-01 SP-03 SS-20 USIA-15 ACDA-19 IO-14 OMB-01

TRSE-00 SAM-01 DRC-01 /166 W
----- 050282

R 060942Z SEP 74

FM AMEMBASSY SAIGON

TO SECSTATE WASHDC 8462

INFO AMEMBASSY BUDAPEST

AMEMBASSY JAKARTA

AMEMBASSY TEHRAN

AMEMBASSY WARSAW

AMEMBASSY MOSCOW

USDEL JEC PARIS

C O N F I D E N T I A L SAIGON 11682

E.O. 11652: GDS

TAGS: MARR, VS, IR, HU, PL

SUBJECT: ICCS: IRANIANS FURTHER DOCUMENT COMMUNIST DELEGATIONS'
NON-PERFORMANCE

REF: SAIGON 10864

1. SUMMARY. THE IRANIAN DELEGATION TO THE ICCS, BY FORCING
PLENARY SESSION DISCUSSION OF ITS PROPOSAL TO CONSIDER HOW TO
DEAL WITH RECENT LETTERS OF COMPLAINT ON ALLEGED CEASE-FIRE
VIOLATIONS, HAS FURTHER DOCUMENTED THE UNWILLINGNESS OF THE
COMMUNIST DELEGATIONS TO EVEN ATTEMPT TO RESUME ACTIVITY. THE
LATTER AGREED ONLY ON FURTHER "CONSULTATION". THE ICCS DID AGREE
TO HAVE THE IRANIAN DELEGATION APPOINT A NEW ACTING DIRECTOR
GENERAL TO SERVE UNTIL OCTOBER 31. END SUMMARY.

2. CONTINUING THE IRANIAN STRATEGY OF UNMASKING AND DOCUMENTING
THE COMMUNIST DELEGATIONS' NON-PERFORMANCE OF THEIR RESPONSIBILITIES
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(REFTEL, IRANIAN AMBASSADOR SADRY SCHEDULED AN ICCS PLENARY SESSION
FOR AUGUST 31, HIS LAST DAY AS CHAIRMAN OF THE MONTH, AND PROPOSED

AS AN AGENDA ITEM CONSIDERATION OF HOW TO DEAL WITH THE CONTINUING LETTERS OF COMPLAINT FROM THE RVN AND "PRG" ON ALLEGED CEASE-FIRE VIOLATIONS. TO THIS PROPOSED AGENDA ITEM HE APPENDED AS AN ANNEX A LIST OF THESE LETTERS RECEIVED RECENTLY.

3. SADRY OPENED THE SESSION BY STATING THAT IN VIEW OF THE DETERIORATION AND CONTINUOUS BREACHES OF THE CEASE-FIRE, THE ESCALATION OF MILITARY ACTIVITY, AND THE ENORMOUS INCREASE IN DEATHS AND DISPLACED REFUGEES, THE ICCS HAS AN OBLIGATION TO ATTEMPT TO TAKE SOME ACTION. THE INDONESIANS SUPPORTED SADRY. THE HUNGARIAN STATED THAT, WHILE THE COMMISSION CAN USE ITS "GOOD OFFICES", IT CAN NOT ACT ON ANY LETTERS OF COMPLAINT WHILE THE TPJMC IS NOT MEETING. HE THEREFORE INSISTED THAT THE LIST OF LETTERS IN THE ANNEX BE DELETED FROM THAT AGENDA ITEM, ALTHOUGH THE AGENDA ITEM ITSELF COULD BE DISCUSSED. THE POLE SUPPORTED HIM. SADRY AS IN PREVIOUS SESSIONS ARGUED AGAINST THIS POSITION AND STATED THAT BY CONTINUING TO ADDRESS LETTERS OF COMPLAINT

TO THE ICCS, THE TWO SOUTH VIETNAMESE PARTIES ARE EXPECTING THE COMMISSION TO TAKE SOME ACTION. HE ASKED THE HUNGARIAN WHAT SHOULD BE DONE WITH THE LETTERS, TO WHICH THE LATTER REPLIED THAT THE PLENARY

HAD NOT YET AGREED TO DISCUSS THE ITEM. THUS STONE-WALLED, SADRY AGREED TO DROP THE ANNEXED LIST AND MOVE ON TO THE GENERAL SUBSTANCE OF THE AGENDA ITEM.

4. THE POLE THEN FORMALLY PROPOSED THAT CONSIDERATION OF ANY LETTERS OF COMPLAINT BE POSTPONED UNTIL THE TPJMC RESUMES MEETING. THE HUNGARIAN SUPPORTED HIM, NOTING THAT THE LETTERS ARE "CLOSELY CONNECTED" WITH INVESTIGATIONS, BUT THAT IN THE PRESENT TPJMC SITUATION "THE DISCHARGE OF OUR MANDATORY TASKS HAS BECOME IMPOSSIBLE FROM BOTH THE PRACTICAL AND LEGAL POINTS OF VIEW". SADRY PERSISTED THAT IN THAT CASE THE COMMISSION MUST TAKE SOME ACTION. HE QUOTED ARTICLE 3A OF THE ICCS PROTOCOL WHICH PROVIDES THAT "WHEN THE INTERNATIONAL COMMISSION FINDS THAT THERE IS A SERIOUS VIOLATION IN THE IMPLEMENTATION OF THE AGREEMENT OR A THREAT TO PEACE AGAINST WHICH THE COMMISSION CAN FIND NO APPROPRIATE MEASURE, THE COMMISSION SHALL REPORT THIS TO THE FOUR PARTIES TO THE AGREEMENT SO THAT THEY CAN HOLD CONSULTATIONS TO FIND A SOLUTION". SADRY PROPOSED THAT
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SINCE THE ICCS CAN NOT FUNCTION BECAUSE OF THE INSISTENCE OF TWO DELEGATIONS ON INACTION, THE COMMISSION SHOULD REPORT EITHER TO THE FOUR SIGNATORY PARTIES OR TO THE TWO PARTIES OF THE TPJMC ON THE SITUATION AND REQUEST THEM TO ACT. HE ALSO PROPOSED THAT THE ICCS SEND A LETTER OF APPEAL TO BOTH SOUTH VIETNAMESE PARTIES ASKING THEM TO RESUME TPJMC SESSIONS FOR THE HUMANITARIAN PURPOSE OF ASSISTING THOSE SUFFERING FROM THE HOSTILITIES. THE INDONESIAN DELEGATION SUPPORTED HIM.

5. THE HUNGARIAN, SUPPORTED BY THE POLE, REFUSED TO AGREE TO ANY

SUCH PROPOSALS UNTIL AFTER FURTHER INFORMAL "CONSULTATIONS". THE INDONESIANS OBJECTED THAT "CONSULTATIONS" SHOULD NOT BE USED AS A MEANS TO "BURY PROBLEMS". SADRY THEN NOTED THAT HE HAD BEEN CRITICIZED BY HIS "COLLEAGUES" (I.E., INDONESIANS) FOR AGREEING TO CONSULTATIONS IN THE PAST, AND ACKNOWLEDGED "I HAVE TO ADMIT THEY WERE RIGHT SINCE WE REACHED NOWHERE". HE THEN STATED THAT HE WOULD GO AHEAD AND PREPARE A DRAFT LETTER FOR CONSIDERATION BY THE OTHER DELEGATIONS. AGAIN STONE-WALLED BY THE COMMUNISTS ON ANYTHING EXCEPT A COMMITMENT TO "CONSULT", SADRY INSISTED THAT THE PLENARY APPROVE THEN AND THERE THE WORDING OF THE DISPOSITION OF THIS AGENDA ITEM FOR THE "RECORD OF DECISIONS" RATHER THAN HAVE IT DRAFTED OUTSIDE THE PLENARY. AFTER CONSIDERABLE FURTHER ARGUING AND EDITING, THE PLENARY APPROVED A TEXT READING AS FOLLOWS: "THE COMMISSION HAS CONSIDERED ITEM 3 DEALING WITH THE LETTERS FROM THE TWO MILITARY DELEGATIONS TO THE CENTRAL TPJMC ON ALLEGED CEASE-FIRE VIOLATIONS. HAVING FAILED TO REACH UNANIMOUS AGREEMENT, IT WAS DECIDED THAT THIS MATTER WILL BE CONSIDERED FURTHER THROUGH CONSULTATIONS BETWEEN THE HEADS OF DELEGATIONS WITH A VIEW TO INFORMING THE TWO SOUTH VIETNAMESE ON THE SITUATION WHICH HAS EMERGED IN THE COMMISSION."

6. THE COMMISSION THEN TURNED TO THE ELECTION OF A NEW DIRECTOR GENERAL. THE HUNGARIAN NOTED THAT HE COULD NOT AGREE TO THE APPOINTMENT OF A PERMANENT DIRECTOR GENERAL UNTIL SETTLEMENT OF THE HUNGARIAN PROPOSAL TO GIVE EACH MEMBER OF THE ADMINISTRATION AND FINANCE COMMITTEE A VETO POWER OVER CERTAIN DECISIONS OF THE DIRECTOR GENERAL. THE INDONESIANS PROPOSED THAT THE IRANIAN DELEGATION APPOINT ONE OF ITS MEMBERS AS ACTING DIRECTOR GENERAL UNTIL THE ELECTION OF A PERMANENT ONE. THE HUNGARIAN AGREED PROVIDING HIS ASSIGNMENT WOULD LAST ONLY UNTIL OCTOBER 31. THE HUNGARIAN NOTED HUNGARY'S WILLINGNESS TO SUPPLY DIRECTOR GENERAL.
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SADRY CALLED THIS BLUFF BY NOTING THAT IN SUCH A CASE IN ORDER TO PRESERVE NATIONAL BALANCE THE THREE DIRECTORS WOULD HAVE TO BE "ROTATED" WHICH WOULD INVOLVE MOVING THE POLE OUT OF HIS POSITION AS DIRECTOR OF FINANCE, AND THAT ROTATION WOULD HAVE TO BE RAISED LATER IN ANY CASE. THE COMMUNISTS THEREUPON QUICKLY AGREED THAT AN IRANIAN BE DESIGNATED AS ACTING DIRECTOR GENERAL UNTIL OCTOBER 31.

7. THE FOREGOING REPORT IS DRAWN FROM THE LENGTHY DRAFT VERBATIM MINUTES OF THE SESSION PROVIDED TO US BY THE IRANIANS. WHEN THE MINUTES HAVE BEEN EDITED AND REPRODUCED, A COPY WILL BE TRANSMITTED TO EA/VN.
LRHMANN

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